

**MINUTES
PLANNING COMMISSION
SEPTEMBER 3, 2020
LAKEWOOD CITY HALL
7:00 P.M.
REMOTE MEETING - RECORDED**

Under the orders of the Governor and Director of Health of Ohio, the Planning Commission will meet remotely until further notice.

The September 3, 2020 remote meeting information will be posted by 5 PM the day of the meeting at www.onelakewood.com/accordions/planning-commission/

The meeting was called to order at 7:00 p.m.

1. Roll Call

Members Present

Kyle Baker, Chair
Nathan Kelly
Kyle Krewson, Vice Chair
Jeffrey Wise

Others Present

Michelle Nochta, Planner, Acting Secretary
Jennifer Swallow, Executive Assistant Law Director
Shawn Leininger, Director of Planning and Development

A motion was made by Mr. Baker, seconded by Mr. Krewson to **EXCUSE** the absence of Monica Jordan. All the members voting yea, the motion passed.

2. Approve the Minutes of the August 6, 2020 Meeting

A motion was made by Mr. Krewson, seconded by Mr. Kelly to **APPROVE** the August 6, 2020 meeting minutes. All the members voting yea, the motion passed.

3. Approve the Minutes of the August 18, 2020 Special Meeting

A motion was made by Mr. Krewson, seconded by Mr. Kelly to **APPROVE** the August 18, 2020 special meeting minutes. All the members voting yea, the motion passed.

4. Opening Remarks

The reading of the Opening Remarks was waived by Mr. Baker; he advised the public to send notice through the chat function if one wanted to address a particular docket item.

OLD BUSINESS

CONDITIONAL USE

5. Docket No. 07-33-20

**2051 Quail Street
Lakewood Montessori School**

Beki Bell, Lakewood Montessori School requests conditional use for a nonconforming property in order to operate a pre-school; property is in an R2 Single and Two-Family district. Pursuant to 1149.04 Non-Conforming Structures (Ord. 91-95. Passed 10-7-1996.) Application has been withdrawn by the applicant. (Page 3)

Administrative staff ("staff") received communication from the applicant that the request was withdrawn. No further action was required from the Planning Commission members ("Commission").

COMMUNICATION

6. Docket No. 08-36-20 Beekeeping Ordinance

Review of and recommendation to City Council regarding Ordinance 14-2020 amending various sections of the Codified Ordinances of the City of Lakewood to permit the keeping of bees in the City of Lakewood as introduced by Councilman Shachner and referred to the Planning Commission by City Council on July 6, 2020. (Page 5)

Staff and Jason Shachner, Ward 2, City Council, provided an overview of the proposed ordinance, explained why it was before the Commission, and offered recommendations. Public comment was taken. The Commission asked about education/certification requirements, requested removal from the zoning code requirements, said the proposed ordinance supported the Community Vision, and asked if the city should require registrations.

A motion was made by Mr. Baker, seconded by Mr. Kelly to **RECOMMEND TO CITY COUNCIL** with the following condition:

- It is removed from the zoning code requirements as long as it comports with the Community Vision.

Mr. Baker, Mr. Kelly, Mr. Krewson and Mr. Wise voting yea, the motion passed.

NEW BUSINESS CONDITIONAL USE

7. Docket No. 09-40-20 11822 Madison Avenue The Ohio Inn

Greg Rossi, The Ohio Inn, requests conditional use for temporary expansion of outdoor dining, the flexibility to expand or add outdoor dining to support restaurants that are affected by COVID-19 restrictions; property is in a C3 Commercial - General district. Pursuant to Chapters 1161 and 1129 Outdoor Seasonal Dining as temporarily modified by Resolution 2020-31(5-22-2020) until 10-31-2020. (Page 18)

Greg Rossi, the Ohio Inn was present to explain the request. Staff provided an analysis and recommended approval with conditions. Public comment was closed as no addressed the request. There were no comments or questions from the Commission.

A motion was made by Mr. Krewson, seconded by Mr. Baker to **APPROVE** the request with the following conditions:

- Temporary COVID -19 approval as proposed for the duration of the temporary period which expires after October 31, 2020.
- ABR has administratively approved the tables, chairs and barricades
- Safety forces has reviewed the plan and has no objections as proposed.

Mr. Baker, Mr. Kelly, Mr. Krewson and Mr. Wise voting yea, the motion passed.

LOT SPLIT

8. Docket No. 09-41-20 14503 Madison Avenue Marlowe Park Townhomes

Dru Siley, Liberty Development Co. requests the replat of the Marlowe Park Townhome site for 16 17 lots and one common area parcel. Pursuant to 1155.03 general requirements This property is located in a PD – Planned Development district. (Page 18)

Dru Siley, Liberty Development Co. was present to explain the request and said the proposal was modified to 17 lots for accommodation of the shared parking lot. Staff provided a brief synopsis and recommendation for approval. Public comment was closed as no addressed the request. The Commission commended the applicant and the project's neighbors, asked who owned the shared parking lot (it was owned by Liberty Development).

A motion was made by Mr. Krewson, seconded by Mr. Wise to **APPROVE** the request with the following condition:

- The approved lot split is contingent upon the City Engineer's review and approval.

Mr. Baker, Mr. Kelly, Mr. Krewson and Mr. Wise voting yea, the motion passed.

9. Docket No. 09-42-20
1365-71 Fry Avenue
Fry Road Townhome Condominiums

Mark Vondrak, Lakewood Fry Real Estate, LLC requests the conversion of 4 attached singles family dwelling units from apartments to condominiums. Pursuant to 1155.03 general requirements. This property is located in the R2 – Single- and Two-Family district. (Page 21)

Martin Gallagher, property owner was present to explain the request; the units would be sold to individual owners. Staff provided an analysis and recommended approval with a condition. Public comment was closed as no addressed the request. The Commission asked about the property outside the units, parking, the design plans. It was noted the addresses were 1365, 1367, 1369 and 1371 Fry Avenue (error on the agenda read 1365-67 Fry Avenue).

A motion was made by Mr. Baker, seconded by Mr. Wise to **APPROVE** the request with the following condition:

- The approved lot split is contingent upon the City Engineer's review and approval.

Mr. Baker, Mr. Kelly, Mr. Krewson and Mr. Wise voting yea, the motion passed.

ADJOURN

A motion was made by Mr. Wise, seconded by Mr. Baker to **ADJOURN** the meeting at ^{8:04}~~7:04~~ P.M. All the A members voting yea, the motion passed.

Katelyn Miller
Signature *on behalf of Chair*

10/1/20
Date

ORDINANCE NO. 14-2020

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council to amend Section 505.18, Certain Animals Prohibited, Section 1121.03, Permitted Accessory Uses, of the Codified Ordinances of the City of Lakewood, Section 1123.03, Permitted Accessory Uses, of the Codified Ordinances of the City of Lakewood, and Section 1127.03, Permitted Accessory Uses, of the Codified Ordinances of the City of Lakewood, to permit the keeping of bees in the City of Lakewood.

WHEREAS, honey bees (*apis mellifera*) are essential to our ecosystem by providing agriculture, fruit, and garden pollination services and by furnishing honey, and other useful products;

WHEREAS, domestic strains of honey bees have been selectively bred for desirable traits, including gentleness, honey production, tendency not to swarm and non-aggressive behavior, characteristics which are desirable to foster and maintain;

WHEREAS, gentle strains of honey bees can be maintained within populated areas without causing a nuisance if the bees are properly located and carefully managed;

WHEREAS, having an apiary next door will not increase the number of bees in a neighboring yard in that honey bees travel up to three miles from their hives to forage and tend to cruise at altitudes of 30 feet or higher.

WHEREAS, there are currently 23 apiaries registered with the Ohio Department of Agriculture within the City of Lakewood;

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in regulations for the keeping of bees in Lakewood should be adopted as soon as possible.

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 505.18(f) and section 505.18(g) of section 505.18 Certain Animals Prohibited, of the Codified Ordinances of the City of Lakewood, are hereby renumbered as 505.18(g) and 505.18(h) respectively.

Section 2. Section 505.18(f) Certain Animals Prohibited, of the Codified Ordinances of the City of Lakewood, is hereby ~~amended to add the following provisions~~enacted to read as follows:

(f) Notwithstanding any of the foregoing, bees, and associated hives, may be kept in the City only in accordance with the following regulations:

(1) Definitions. As used in this article, the following words and terms shall have the meanings ascribed in this section unless the context of their usage indicates another usage.

- A. "Apiary" means any place where one or more colonies or nucleus colony of bees are kept.
- B. "Bees" means any stage of any species of the genus *Apis*.
- C. "Beekeeper" means a person who owns or has charge of one or more colonies of bees.
- D. "Hive" means any modern frame hive, box hive, box, or any other natural or artificial receptacle, or any part thereof, that may be used as a domicile for bees.
- E. "Colony" means the hive and its equipment, including bees, combs and brood.
- F. "Beekeeping Equipment" means anything used in the operation of an apiary, such as hive bodies supers, frames, top and bottom boards, hive tools, smoker, gloves, veil, protective clothing, and extracting equipment.
- G. "Tract" means a contiguous parcel or land under common ownership.
- H. "Nuc" or "Nucleus colony" means a small hive smaller than the usual hive box designed for a particular purpose.
- I. "Undeveloped property" means any idle land that is not improved or actually in the process of being improved with residential, commercial, industrial, church, park, school or governmental facilities or other structures or improvements intended for human use occupancy and the grounds maintained in association therewith. The term shall be deemed to include property developed exclusively as a street or highway or property used for commercial agricultural purposes.

(2) Zoning Districts. Bees may be kept in R1 Residential Single-Family, R2 Residential Single- and Two-Family District, and ML MH Multiple-Family Districts.

~~(2)~~(3) Notice Application, Permit and Renewal.^[SL1] Before the keeping of bees may occur, ~~a notice~~a notice ~~an annual permit shall first be obtained from the Director of Public Safety~~an annual permit shall first be obtained from the Director of Public Safety ~~application shall be provided to~~application shall be provided to ~~filed with~~filed with the Director of Public Safety. ~~The permit application shall be accompanied by a \$25.00 fee paid to the City. New~~The notice permit applications must ~~shall~~shall include the following information:

- A. the name, phone number, home address and email address of the applicant;
- B. the size and location of the subject property;
- C. a proposal containing the number of hives the applicant seeks to keep on the property;
- D. the permission of the property owner for the applicant to keep bees, if the beekeeper is not the owner;
- E. the applicant's Ohio Beekeeper number as provided by the Ohio Department of Agriculture; and
- F. the applicant's Apiary #(s) as provided by the Ohio Department of Agriculture

~~Notices shall be on a form prescribed by the Division of Housing & Building. An updated notice must be filed with the Division of Housing & Building annually. All notices applications shall contain a waiver, signed by the applicant property owner,~~

providing permission for any City official to enter the property for the purpose of determining the beekeeper's ~~compliance with section 505.18. The City shall provide the property owner at least 48 hours written notice prior to entering the property.~~
compliance with this section. Permits shall not be transferable.

~~(3)~~(4) Inspection. Within 30 days of the Director of Public Safety or his or her designee receiving the initial application, he or she shall cause the lot to be inspected. The person(s) inspecting the premises shall determine (What is the criteria for issuing the permit)?

~~(4)~~(5) Personal Use; Limitations. (should the bee hives be for personal use only, can honey be produced for sale? Size and number of hives on any one lot? Setbacks from other property lines for location of hives?)

~~(5)~~(6) Regulations:

- A. Beekeeper may not opt out of the annual inspection by the county or state bee inspector as part of the Ohio Department of Agriculture's inspection program.
- B. Each beekeeper shall ensure that a convenient source of water is available to the colony at all times bees remain active outside of the hive. The water source shall be closer to the hives than any neighboring source. The water source may be natural such as a pond, stream, or artificial source. The water source shall be on the beekeeper's property.
- C. Each beekeeper shall ensure that no wax, comb, or other material that might encourage robbing by other bees are left upon the grounds of the apiary tract. Such materials once removed from the site shall be handled and stored in sealed containers or placed within a building or other insect-proof container.
- D. For each colony permitted to be maintained under this ordinance, there may also be maintained one nuc upon the same apiary tract.
- E. No more than two beehives shall be kept for each 2,400 square feet tract, and no beehive shall be kept on a tract less than 2,400 square feet in area.
- F. No beehive shall be kept closer than five feet to any lot line and 10 feet to a dwelling or the permitted placement of a dwelling on another parcel, and no beehive shall be kept in a front yard or side street yard. The front of any beehive shall face away from the property line of the residential property closest to the beehive.
- G. ~~Regardless of tract size, so long as all lots within a radius of at least 200 feet from any hive, measured from any point on the hives, remain undeveloped, there shall be no limit to the number of colonies. No grandfathering rights shall accrue under this subsection.~~[SL2]
- H. No hives are permitted on any tract where the setback requirements cannot be satisfied regardless of tract size.
~~—The beekeeper may be exempt from the setback to adjacent lot lines by obtaining written permission from the adjacent lot owner(s). The setback to public sidewalks and roadways may not be waived~~
- ~~(7)~~I. Each beekeeper shall maintain her beekeeping equipment in good condition, including keeping the hives painted if they have been painted but are peeling or flaking, and securing unused equipment from weather, potential theft or vandalism, and

occupancy by swarms. It shall not be a defense to this ordinance that a beekeeper's unused equipment attracted a swarm and that the beekeeper is not intentionally keeping bees.

(7) Permit Revocation. The Director of Public Safety may revoke a permit at any time if the holder materially fails to adhere to the provisions of this subsection (f).

(8) Appeal. Any denial of a permit application or revocation of a permit may be appealed to the Board of Building Standards pursuant to 1173.05.

- (8) ~~Non-Residential Districts and Community Gardens. In zoning districts other than Residential Districts and Community Gardens, all regulations applicable in Residential Districts shall apply except that the number of beehives shall be limited to one for each 600 square feet of lot area.~~^[SL3]
- (9) ~~Enforcement. The Division of Building & Housing or any authorized City employee shall have the authority to inspect any property to determine compliance with the regulations of Section 505.18 regarding sanitation and nuisances and operational practices in the keeping of bees and shall have the authority to enforce the regulations of that Section as they apply to such matters. If the Division of Building & Housing or any authorized City employee determines that an individual is in violation of the provisions of this section the Director shall issue a violation notice to the individual, noting the nature of the violation(s). If the violation is not corrected within seven days of issuance of the violation notice,~~^[SL4]~~JS5] the recipient of the notice shall be subject to the following penalties and enforcement actions.~~
- ~~A. The penalties as set forth in section 505.18(h); and/or~~
 - ~~B. The removal, impoundment, and/or destruction of all hives associated with the violation(s) at the expense of the property owner.~~

~~Section 3. Section 1121.03 Permitted Accessory Uses, of the Codified Ordinances of the City of Lakewood, is hereby amended to add the following provisions~~

~~(l) Bees, and associated hives, provided they comply with the standards of Chapter 505.18.~~

~~Section 3. Section 1123.03 Permitted Accessory Uses, of the Codified Ordinances of the City of Lakewood, is hereby amended to add the following provision~~

~~(l) Bees, and associated hives, provided they comply with the standards of Chapter 505.18.~~

~~Section 4. Section 1127.03 Permitted Accessory Uses, of the Codified Ordinances of the City of Lakewood, is hereby amended to add the following provision~~

~~(l) Bees, and associated hives, provided they comply with the standards of Chapter 505.18.~~^[SL6]~~JS7]~~



Planning Commission
Thursday, September 3, 2020

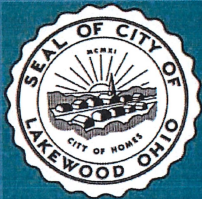
1

AGENDA

1. Pre-review
2. Roll Call
3. Approve Minutes- August 6th meeting and August 18th special meeting
4. Opening Remarks
5. Old Business-
 - A. Lakewood Montessori-WITHDRAWN
 - B. Beekeeping Ordinance
6. New Business-Temporary Outdoor Dining Review
 - A. The Ohio Inn
7. Lot Split/ Consolidations
 - A. The Marlowe Townhomes
 - B. 1365-71 Fry Avenue

Planning Commission
September 3, 2020

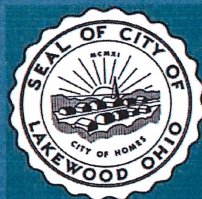
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Docket No. 07-33-20
2051 Quail Avenue

LAKEWOOD MONTESSORI WITHDRAWN BY APPLICANT

3



Docket No. 08-36-20

BEEKEEPING ORDINANCE

4

Recommendation

- Approval of [Ordinance 14-2020](#) with the changes recommended by City Staff
- Consistent with the Community Vision – Community Wellness Focus Area
 - Support healthy living and create a more ecologically sustainable city
 - Adopt environmental best practices
 - Provide policy support for urban agriculture

PLANNED TO BE PRESENTED AT
A
COUNCIL MEETING ON 9/22

ORDINANCE NO. 14-2020

BY

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of a majority of the members of Council to amend Section 501.13, Certain Animals Prohibited, Section 1121.13, Permitted Accessory Uses, of the Code of Ordinances of the City of Lakewood, and Section 1121.13, Permitted Accessory Uses, of the Code of Ordinances of the City of Lakewood, to permit the keeping of bees in the City of Lakewood.

WHEREAS, bees, bees, bees, are essential to our ecosystem by providing agriculture, food, and pollen pollination services and by providing honey, and other useful products;

WHEREAS, domestic, feral, and wild bees have been subjected to harmful pesticide use, including neonicotinoids, colony collapse disorder, and other factors that have led to a decline in bee populations, and the loss of bees is a significant threat to our food supply and the environment;

WHEREAS, the bees, bees, bees, can be maintained within populated areas without causing a nuisance if the bees are properly housed and carefully managed;

WHEREAS, having an open space does not increase the number of bees in a neighborhood, and as the bees, bees, bees, are used to travel miles from their hives to forage and tend to ensure the survival of the bees in the area;

WHEREAS, there are currently 25 species required with the Ohio Department of Agriculture within the City of Lakewood;

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, the Council is a body of elected officials of the City of Lakewood, and that the ordinance is an emergency measure and that it shall take effect immediately and that it is necessary for the immediate preservation of the public property, health, and safety and for the general well-being of the community and for the purpose of the keeping of bees in Lakewood should be adopted as soon as possible;

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 501.13, Certain Animals Prohibited, of the Code of Ordinances of the City of Lakewood, be amended to read as follows:

Section 2. Section 1121.13, Permitted Accessory Uses, of the Code of Ordinances of the City of Lakewood, be amended to read as follows:

Section 3. Section 1121.13, Permitted Accessory Uses, of the Code of Ordinances of the City of Lakewood, be amended to read as follows:

Beekeeping Ordinance
September 3, 2020

5



6

Placed on 1st reading &
referred to HFG

ORDINANCE NO. 14-2020

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council to amend Section 505.18, Certain Animals Prohibited, Section 1121.03, Permitted Accessory Uses, of the Codified Ordinances of the City of Lakewood, Section 1123.03, Permitted Accessory Uses, of the Codified Ordinances of the City of Lakewood, and Section 1127.03, Permitted Accessory Uses, of the Codified Ordinances of the City of Lakewood, to permit the keeping of bees in the City of Lakewood.

WHEREAS, honey bees (*apis mellifera*) are essential to our ecosystem by providing agriculture, fruit, and garden pollination services and by furnishing honey, and other useful products;

WHEREAS, domestic strains of honey bees have been selectively bred for desirable traits, including gentleness, honey production, tendency not to swarm and non-aggressive behavior, characteristics which are desirable to foster and maintain;

WHEREAS, gentle strains of honey bees can be maintained within populated areas without causing a nuisance if the bees are properly located and carefully managed;

WHEREAS, having an apiary next door will not increase the number of bees in a neighboring yard in that honey bees travel up to three miles from their hives to forage and tend to cruise at altitudes of 30 feet or higher.

WHEREAS, there are currently 23 apiaries registered with the Ohio Department of Agriculture within the City of Lakewood;

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in regulations for the keeping of bees in Lakewood should be adopted as soon as possible.

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1 Section 505.18(f) and section 505.18(g) of section 505.18 Certain Animals Prohibited, of the Codified Ordinances of the City of Lakewood, are hereby renumbered as 505.18(g) and 505.18(h) respectively.

Section 2. Section 505.18(f) Certain Animals Prohibited, of the Codified Ordinances of the City of Lakewood, is hereby amended to add the following provisions enacted to read as follows:

(f) Notwithstanding any of the foregoing, bees, and associated hives, may be kept in the City only in accordance with the following regulations:

(1) Definitions. As used in this article, the following words and terms shall have the meanings ascribed in this section unless the context of their usage indicates another usage.

- A. "Apiary" means any place where one or more colonies or nucleus colony of bees are kept.
- B. "Bees" means any stage of any species of the genus Apis.
- C. "Beekeeper" means a person who owns or has charge of one or more colonies of bees.
- D. "Hive" means any modern frame hive, box hive, box, or any other natural or artificial receptacle, or any part thereof, that may be used as a domicile for bees.
- E. "Colony" means the hive and its equipment, including bees, combs and brood.
- F. "Beekeeping Equipment" means anything used in the operation of an apiary, such as hive bodies supers, frames, top and bottom boards, hive tools, smoker, gloves, veil, protective clothing, and extracting equipment.
- G. "Tract" means a contiguous parcel or land under common ownership.
- H. "Nuc" or "Nucleus colony" means a small hive smaller than the usual hive box designed for a particular purpose.
- I. "Undeveloped property" means any idle land that is not improved or actually in the process of being improved with residential, commercial, industrial, church, park, school or governmental facilities or other structures or improvements intended for human use occupancy and the grounds maintained in association therewith. The term shall be deemed to include property developed exclusively as a street or highway or property used for commercial agricultural purposes.

(2) Zoning Districts. Bees may be kept in R1 Residential Single-Family, R2 Residential Single- and Two-Family District, and ML MH Multiple-Family Districts.

(3) Notice Application, Permit and Renewal. (a) Before the keeping of bees may occur, a notice on annual permit shall first be obtained from the Director of Public Safety. application shall be provided to filed with the Director of Public Safety. The permit application shall be accompanied by a \$25.00 fee paid to the City. New The notice permit applications must shall include the following information:

- A. the name, phone number, home address and email address of the applicant;
- B. the size and location of the subject property;
- C. a proposal containing the number of hives the applicant seeks to keep on the property;
- D. the permission of the property owner for the applicant to keep bees, if the beekeeper is not the owner;
- E. the applicant's Ohio Beekeeper number as provided by the Ohio Department of Agriculture; and
- F. the applicant's Apiary #(s) as provided by the Ohio Department of Agriculture

Notices shall be on a form prescribed by the Division of Housing & Building. An updated notice must be filed with the Division of Housing & Building annually. All notices applications shall contain a waiver, signed by the applicant/property owner,

providing permission for any City official to enter the property for the purpose of determining the beekeeper's compliance with section 505-18. The City shall provide the property owner at least 48 hours written notice prior to entering the property. compliance with this section. Permits shall not be transferable.

(4) Inspection. Within 30 days of the Director of Public Safety or his or her designee receiving the initial application, he or she shall cause the lot to be inspected. The person(s) inspecting the premises shall determine _____. (What is the criteria for issuing the permit?)

(5) Personal Use Limitations. (should the bee hives be for personal use only, can honey be produced for sale? Size and number of hives on any one lot? Setbacks from other property, lines for location of hives?)

(6) Regulations:

- A. Beekeeper may not opt out of the annual inspection by the county or state bee inspector as part of the Ohio Department of Agriculture's inspection program.
- B. Each beekeeper shall ensure that a convenient source of water is available to the colony at all times bees remain active outside of the hive. The water source shall be closer to the hives than any neighboring source. The water source may be natural such as a pond, stream, or artificial source. The water source shall be on the beekeeper's property.
- C. Each beekeeper shall ensure that no wax, comb, or other material that might encourage robbing by other bees are left upon the grounds of the apiary tract. Such materials once removed from the site shall be handled and stored in sealed containers or placed within a building or other insect-proof container.
- D. For each colony permitted to be maintained under this ordinance, there may also be maintained one mus upon the same apiary tract.
- E. No more than two beehives shall be kept for each 2,400 square feet tract, and no beehive shall be kept on a tract less than 2,400 square feet in area.
- F. No beehive shall be kept closer than five feet to any lot line and 10 feet to a dwelling, or the permitted placement of a dwelling on another parcel, and no beehive shall be kept in a front yard or side street yard. The front of any beehive shall face away from the property line of the residential property closest to the beehive.
- G. Regardless of tract size, so long as all lots within a radius of at least 200 feet from any hive, measured from any point on the hives, remain undeveloped, there shall be no limit to the number of colonies. No grandfathering rights shall accrue under this subsection [PL]
- H. No hives are permitted on any tract where the setback requirements cannot be satisfied regardless of tract size.
- I. The beekeeper may be exempt from the setback to adjacent lot lines by obtaining written permission from the adjacent lot owner(s). The setback to public sidewalks and roadways may not be waived.
- (6) Each beekeeper shall maintain her beekeeping equipment in good condition, including keeping the hives painted if they have been painted but are peeling or flaking, and securing unused equipment from weather, potential theft or vandalism, and

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occupancy by swarms. It shall not be a defense to this ordinance that a beekeeper's unused equipment attracted a swarm and that the beekeeper is not intentionally keeping bees.

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PUBLIC COMMENT



Docket No. 08-36-20

BEEKEEPING ORDINANCE

11

Fwd: Beekeeping in Lakewood

BK Kyle Gerard Baker <bakerkg@gmail.com>
To: Michelle Kischke, Shawn Leininger

You forwarded this message on 9/2/2020 1:26 PM.
Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Wed 9/2/2020 10:52 AM

Reply Reply All Forward

Hello,

I am currently a beekeeper in Lakewood and I have received a letter from Jason Shachner encouraging me to attend a meeting on September 3rd. I would have liked to have been in attendance, but I have a class that night so I would like to make a few comments to this group. First, I have been a beekeeper for 3 years. When I decided to keep bees, I took the class given by the Greater Beekeepers Association twice. I asked the neighbors on both sides of me if they would be alright with me keeping bees and I explained that I took it very seriously and was taking the class (twice). They were both supportive of it and I discussed the set up of the hive. I also called city hall and I cannot remember who I spoke with or exactly what they said but the gist was there wasn't any law, but as long as the neighbors didn't complain it would be okay. And it has been. My neighbors love the fact that our gardens flourish. They also love getting the best honey they have ever had in their lives. I manage my hive (I only have one) and have never had a swarm. I participate in pest management. I register with the state which I assume is who turned me into you. I guess that's what happens when you do the right thing. cause I bet there are more people beekeeping in Lakewood who are not registered.

I do not keep bees for the honey. Anyone who thinks that is the reason is crazy. It's the most expensive honey I have ever eaten. Yes it is a nice side benefit, but you only take what the girls do not need for themselves for the winter. It is a fascinating and very educational hobby and it is a small way to help the plants and trees within a 2-3 mile area around my home. It is a struggle for the bees with neighbors using pesticides and the railroad spraying. When I first moved to my home, I had many honey bees visiting my garden... then all of the sudden none. I learned that one street away from me, there was a gentleman with two hives that moved and of course took his hives with him. When he left, my pollinators went with him. It does make a big difference. If we did not have beekeepers in Lakewood I believe you would see a big difference in your vegetable and flower gardens as well as your trees.

As far as people afraid of being stung.... my neighbor across the street didn't know I had bees for 2 years until they saw me walk in the front yard in my bee suit. Honey bees are gentle. They sting you, they die. The only time I am in danger of getting stung is when I am working their hive and that is because they are defending their brood and food... their life's work.

If you need any testimonials from next door neighbors I can ask mine!

As far as the ordinance, on the second page number (2) Notice
E. the applicant's Ohio Beekeeper number as provided by the ODA
F. the applicant's Apiary number....

These are provided if you HAVE an apiary not before..... so you are saying you need those before the keeping of bees may occur????

Also I understand providing permission for any city official to enter the property for the purpose of determining the beekeeper's compliance... but I would like to see verbiage stating that they would not touch any of the hive or property and it would be visual inspection only.

Personally, I am sorry to see this being regulated. Here's my 2 cent's worth if it has to be.

Please keep me advised of future meetings.

Thank you,

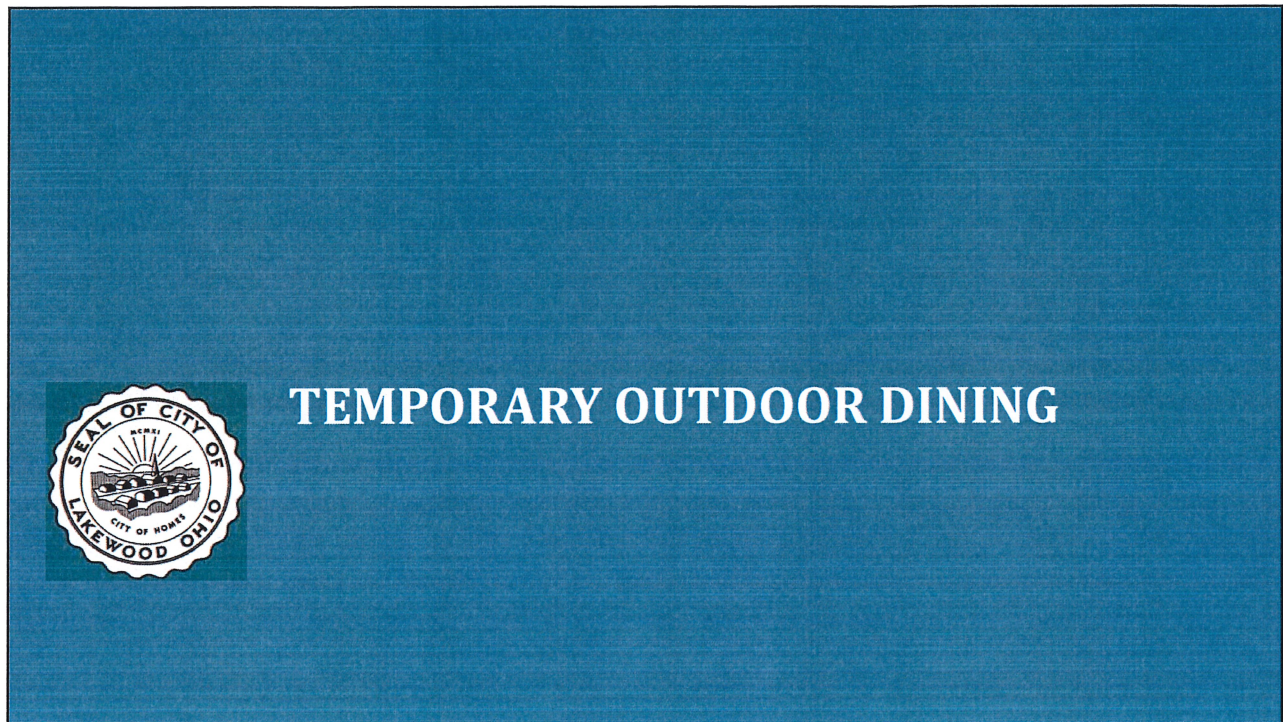
Chris Cowen

...

Chris Cowen, OTR/L, CEAS
Occupational Therapist and Manager
Certified Ergonomic Assessment Specialist

Public Comment #1

12



15

Temporary Outdoor Dining

Permitted pursuant to Resolution 2020-31.

- Allows PC to temporarily waive or modify the requirements in **LCO 1161.03** and **1129.13** through October 31, 2020.
- Requests for up to 30 seats.
- Barrier required where alcohol is served or when placed in parking area.
- Not open after 10 PM, although PC can set an earlier time.
- No entertainment or outside speakers.
- ABR administrative approval unless otherwise specified by PC.

16

Requests

The review and approval for a conditional use for temporary expansion of outdoor dining, the flexibility to expand or add outdoor dining to support restaurants that are affected by COVID-19 restrictions.

17

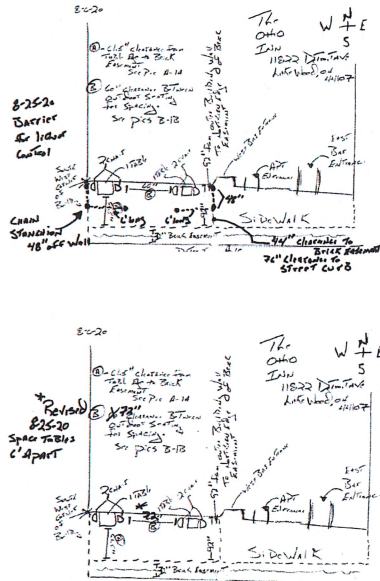


Docket No. 09-40-20
11822 Detroit Avenue

THE OHIO INN

18

Recommendation – Approve



- Temporary **Covid -19** approval as proposed for the duration of the temporary period which expires after October 31, 2020.
- ABR has administratively approved the tables, chairs and barricades
- Safety forces has reviewed the plan and has no objections as proposed.

The Ohio Inn
September 3, 2020

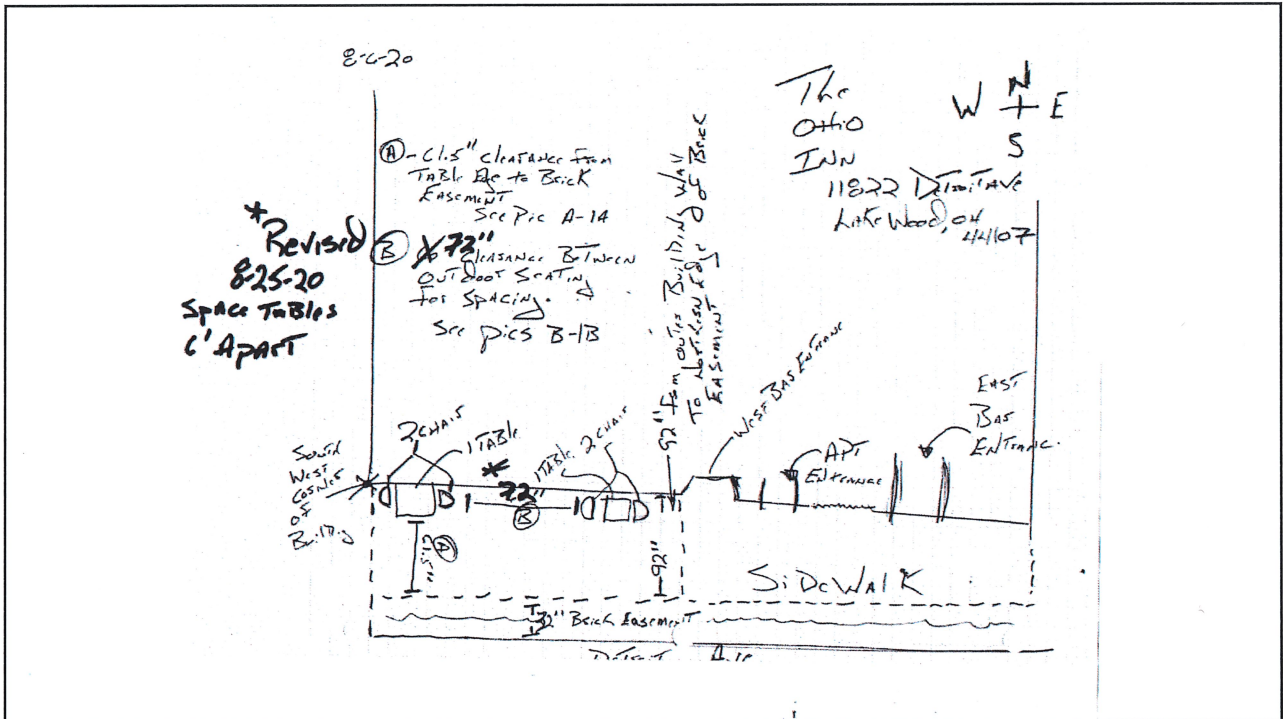
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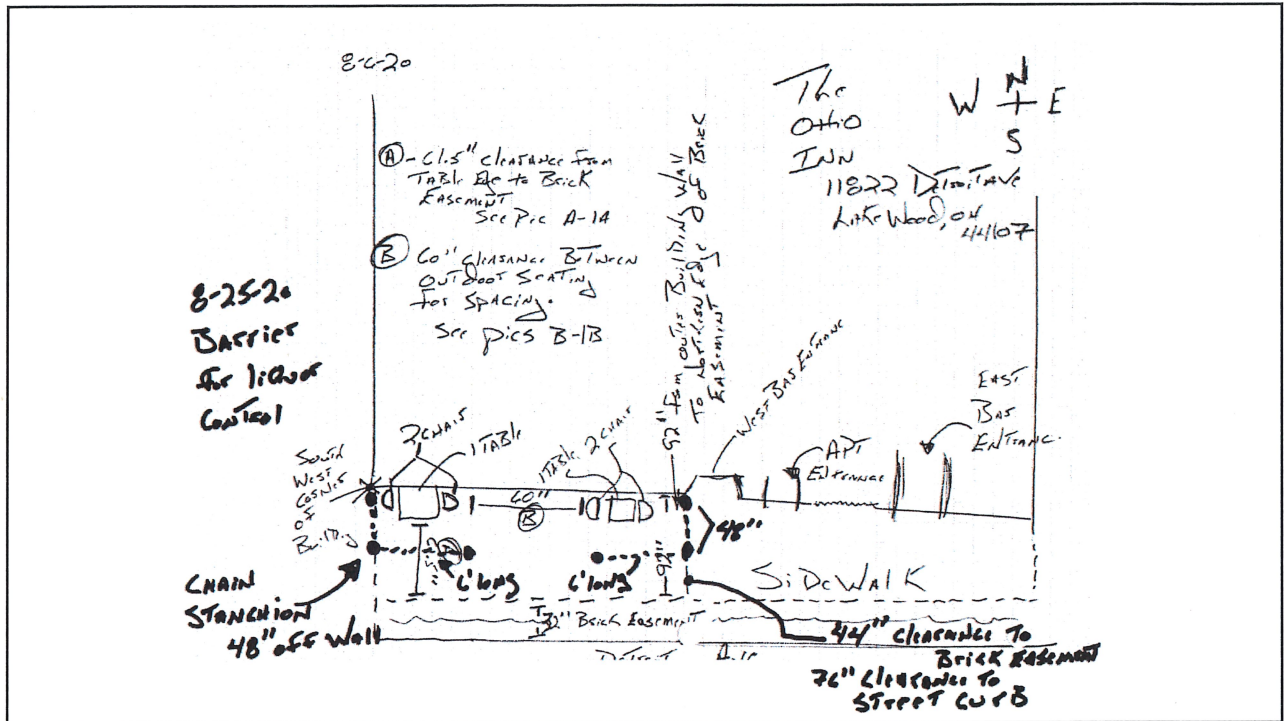
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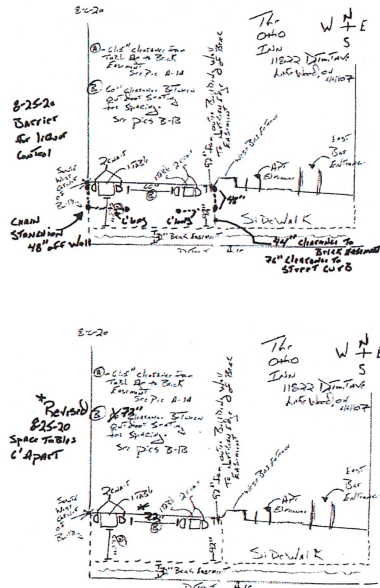
PUBLIC COMMENT



Docket No. 09-40-20
11822 Detroit Avenue
THE OHIO INN

28

Recommendation – Approve



- Temporary **Covid -19** approval as proposed for the duration of the temporary period which expires after October 31, 2020.
- ABR has administratively approved the tables, chairs and barricades
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The Ohio Inn
September 3, 2020

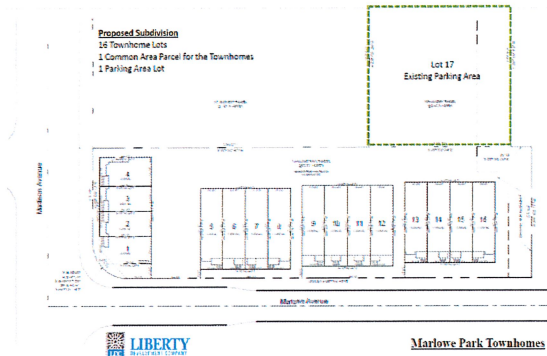
29



Docket No. 09-41-20
14503 Madison Avenue

THE MARLOWE TOWNHOMES

30

Recommendation:**Approve lot split contingent on engineer's review**

- **Requires engineer's review and approval**

Proposal is consistent with the Community Vision

Housing -stewardship, options, quality

Goal 1:

Support a variety of housing options that meet the needs of our diverse community

Goal 2:

Proactively maintain and improve our housing stock

The Marlowe Townhomes
14503 Madison Avenue
September 3, 2020

31

Chapter 1155.07: Lot Split

(c) Approval. The Commission shall review all required maps and the report of the Engineer for compliance with the applicable sections of this Chapter and the *Code*.

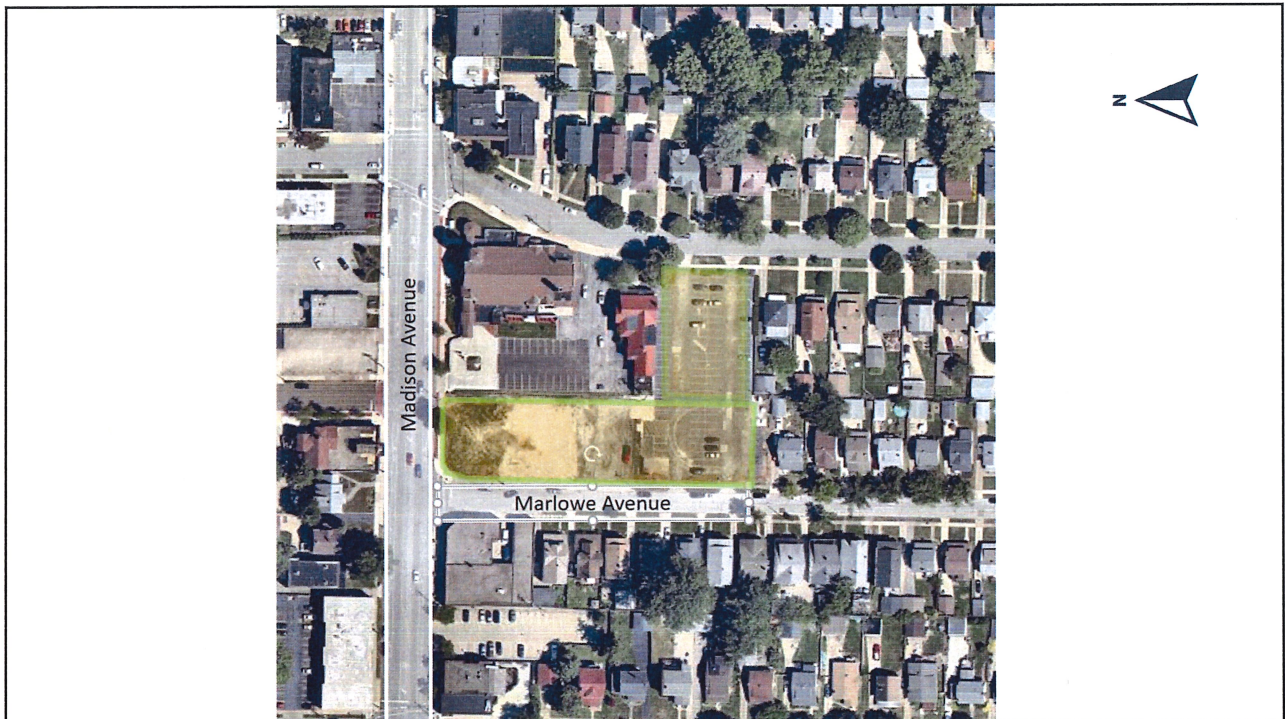
(2) The plan shall be consistent with the *Community Vision*

Rockport Phase 3
 Lot Split

32



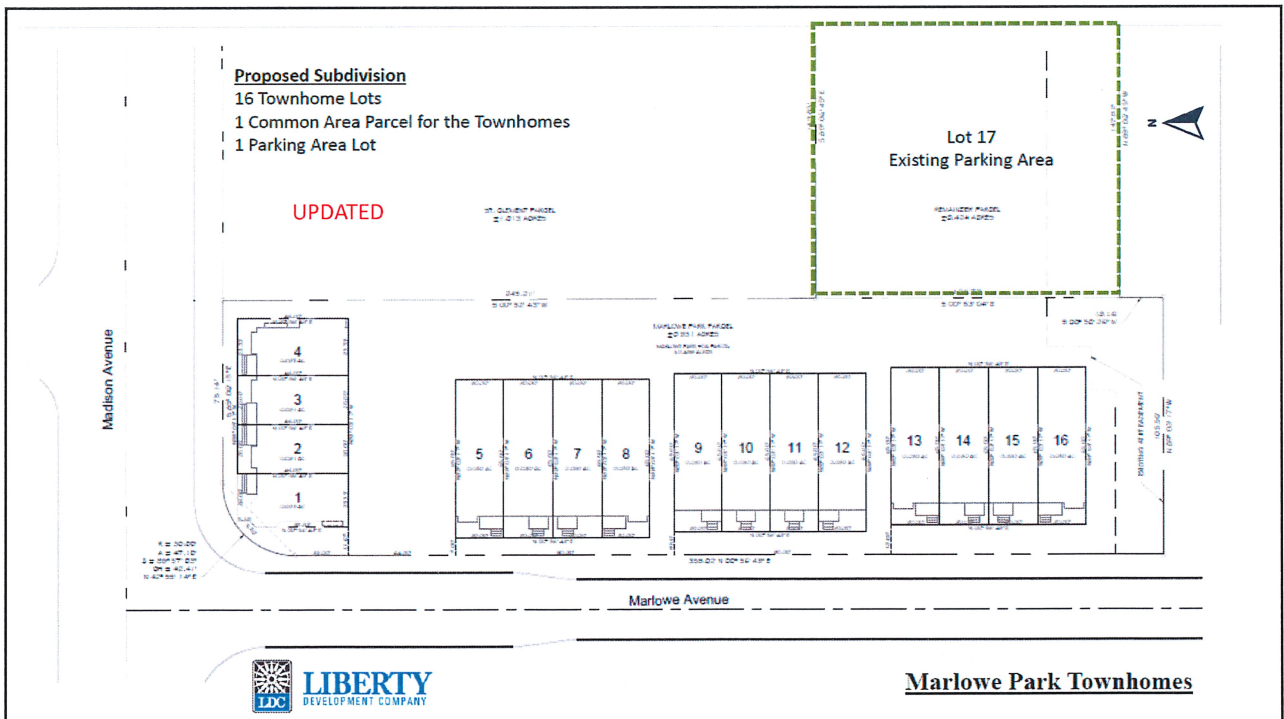
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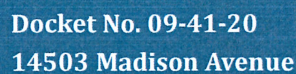
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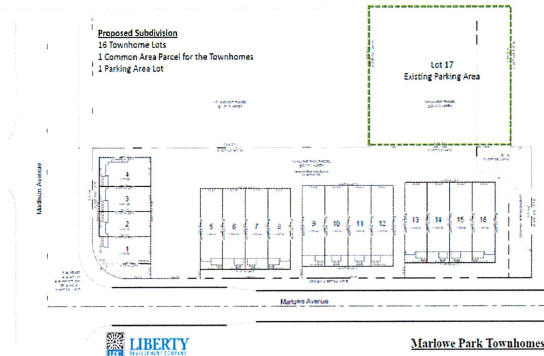
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38

Recommendation:

Approve lot split contingent on engineer's review



- Requires engineer's review and approval

Proposal is consistent with the Community Vision

Housing -stewardship, options, quality

Goal 1:

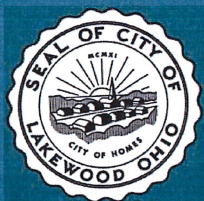
Support a variety of housing options that meet the needs of our diverse community

Goal 2:

Proactively maintain and improve our housing stock

The Marlowe Townhomes
14503 Madison Avenue
September 3, 2020

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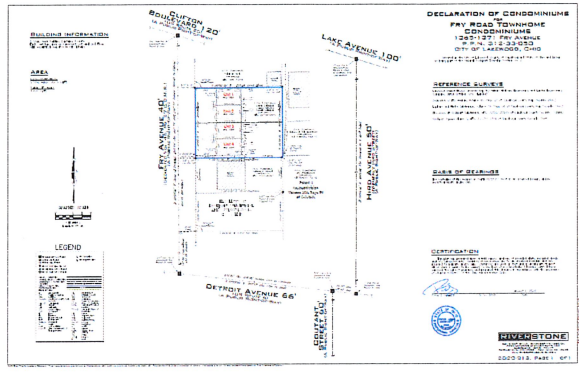
Docket No. 09-42-20
1365-71 Fry Avenue

CONDOMINIUMS

40

Recommendation:

Approve lot split contingent on engineer's review



- Requires engineer's review and approval

Proposal is consistent with the Community Vision

Housing -stewardship, options, quality

Goal 1:

Support a variety of housing options that meet the needs of our diverse community

Goal 2:

Proactively maintain and improve our housing stock

1365-67 Fry Avenue
Condominiums
September 3, 2020

41

Chapter 1155.07: Lot Split

(c) Approval. The Commission shall review all required maps and the report of the Engineer for compliance with the applicable sections of this Chapter and the *Code*.

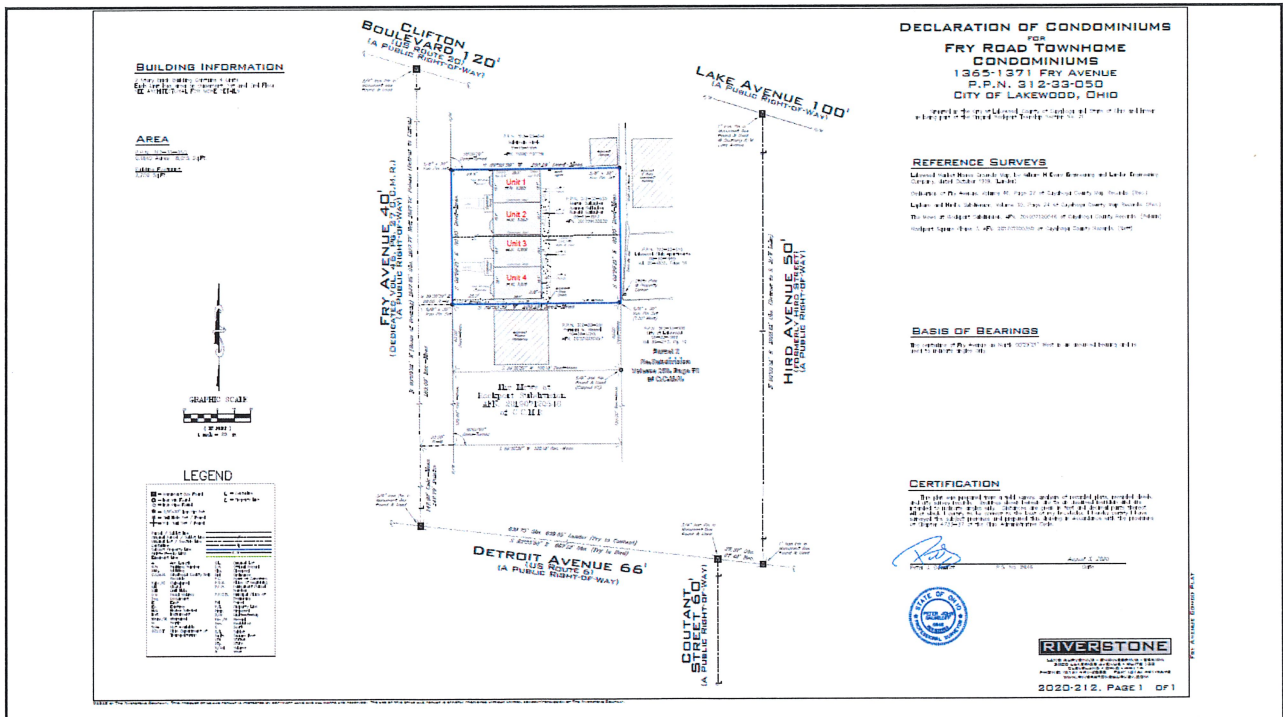
(2) The plan shall be consistent with the *Community Vision*

Rockport Phase 3
Lot Split

42

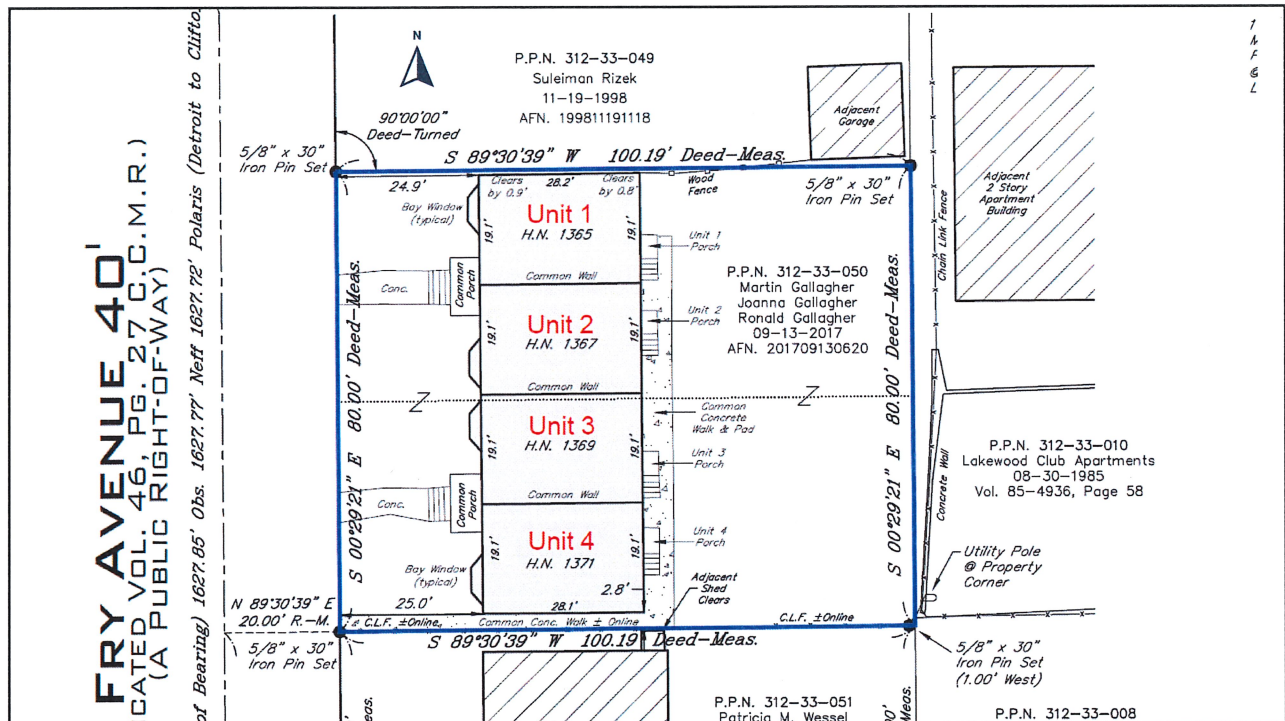


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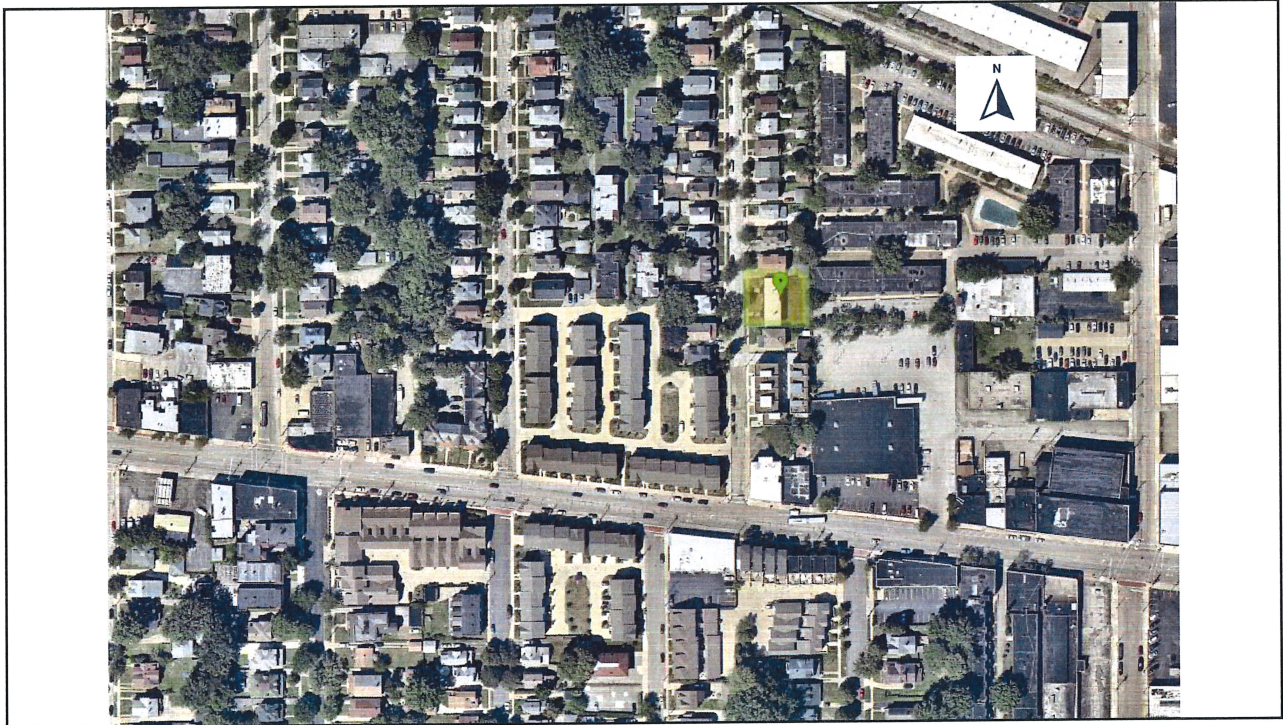
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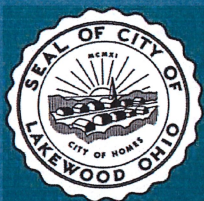


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PUBLIC COMMENT

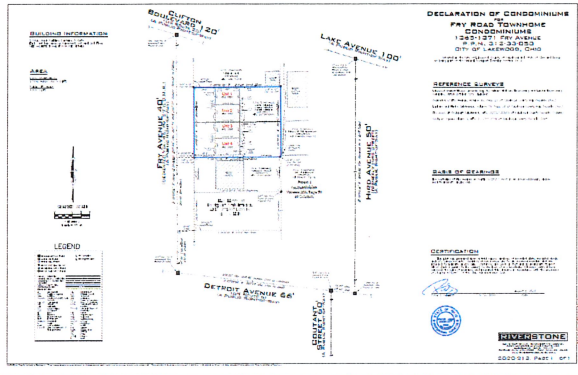


Docket No. 09-42-20
1365-71 Fry Avenue

CONDOMINIUMS

64

Recommendation:
Approve lot split contingent on engineer's review



- Requires engineer's review and approval

Proposal is consistent with the Community Vision

Housing -stewardship, options, quality

Goal 1:

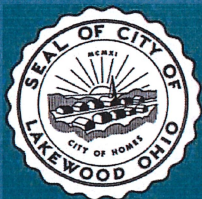
Support a variety of housing options that meet the needs of our diverse community

Goal 2:

Proactively maintain and improve our housing stock

1365-67 Fry Avenue
Condominiums
September 3, 2020

65



ADJOURN

66